

AMENDED IN ASSEMBLY APRIL 29, 2008

AMENDED IN ASSEMBLY JUNE 25, 2007

AMENDED IN SENATE MAY 24, 2007

AMENDED IN SENATE APRIL 12, 2007

## SENATE BILL

No. 348

**Introduced by Senator Migden Simitian**

(Principal coauthor: Assembly Member Jones)

**(Coauthor: Senator Yee)**

(Coauthor: Assembly Member Huff Coauthors: Assembly Members  
Ma, Mullin, and Ruskin)

February 20, 2007

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~~An act to amend Sections 48313 and 48315 of, and to add Section 48314.5 to, the Education Code, relating to pupil attendance. An act to amend Section 65089.11 of the Government Code, relating to local government.~~

### LEGISLATIVE COUNSEL'S DIGEST

SB 348, as amended, **Migden Simitian**. ~~Pupil attendance: interdistrict transfers. Local government: vehicle fee for congestion and stormwater management.~~

*Existing law provides for the imposition by air districts and other local agencies of fees on the registration of motor vehicles in certain areas of the state that are in addition to the basic vehicle registration fee collected by the Department of Motor Vehicles. Existing law authorizes the City/County Association of Governments of San Mateo County to impose a fee of up to \$4, until January 1, 2009, on motor vehicles registered within San Mateo County for a program for the*

*management of traffic congestion and stormwater pollution within that county.*

*This bill would provide that the City/County Association of Governments of San Mateo County may reauthorize that fee for a period of 4 years until January 1, 2013, as specified.*

~~Existing law requires each person between the ages of 6 and 18 years who is not otherwise exempt to attend the public full-time day school in the school district in which his or her parent or guardian is a resident. The governing board of a school district is authorized to accept interdistrict transfers by admitting pupils residing in other school districts to attend its schools, subject to specified conditions. A school district that elects to accept interdistrict transfers is authorized to keep an accounting of all requests made for alternative attendance and records of all disposition of those requests. The provisions governing interdistrict transfers become inoperative on July 1, 2007, and repeal on January 1, 2008.~~

~~This bill would, instead, require a school district that elects to accept interdistrict transfers to keep an accounting of all requests made for alternative attendance and records of all disposition of those requests and to report that information to the Superintendent of Public Instruction annually on or before a date designated by the Superintendent. Commencing in 2008, the Superintendent annually would be required to make the information received from school districts available to the Governor, the Legislature, and the public on or before April 1. On or before November 1, 2008, the Legislative Analyst's Office would be required to prepare and submit a report to the Legislature regarding the effectiveness of the interdistrict transfer program. Commencing on the effective date of this bill, the governing board of a school district that has not previously elected to participate in the interdistrict transfer program would be prohibited from electing to become a school district of choice, as defined. The inoperative and repeal dates for the provisions governing interdistrict transfers would be extended to July 1, 2009, and January 1, 2010, respectively.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 65089.11 of the Government Code is  
2     amended to read:

1 65089.11. (a) The City/County Association of Governments  
2 of San Mateo County, which has been formed by the resolutions  
3 of the board of supervisors within San Mateo County and a  
4 majority of the city councils within the county that represent a  
5 majority of the population in the incorporated area of San Mateo  
6 County, may impose a fee of up to four dollars (\$4) on motor  
7 vehicles registered within San Mateo County. The City/County  
8 Association of Governments of San Mateo County may impose  
9 the fee only if the board of the association adopts a resolution  
10 providing for both the fee and a corresponding program for the  
11 management of traffic congestion and stormwater pollution within  
12 San Mateo County as set forth in Sections 65089.12 to 65089.15,  
13 inclusive. Adoption by the board requires a vote of approval by  
14 board members representing two-thirds of the population of San  
15 Mateo County.

16 (b) A fee imposed pursuant to this section shall not become  
17 operative until July 1, 2005, pursuant to the resolution adopted by  
18 the board in subdivision (a).

19 (c) *The City/County Association of Governments of San Mateo*  
20 *County may reauthorize the fee established under subdivision (a)*  
21 *pursuant to the same conditions required in that subdivision for*  
22 *a period of four years and the fee shall terminate on January 1,*  
23 *2009, 2013, unless reauthorized by the Legislature.*

24 ~~SECTION 1. Section 48313 of the Education Code is amended~~  
25 ~~to read:~~

26 ~~48313. (a) Pursuant to this article, each school district electing~~  
27 ~~to accept transfer pupils may keep an accounting of all requests~~  
28 ~~made for alternative attendance and records of all disposition of~~  
29 ~~those requests that may include, but are not limited to, all of the~~  
30 ~~following:~~

31 ~~(1) The number of requests granted, denied, or withdrawn. In~~  
32 ~~the case of denied requests, the records may indicate the reasons~~  
33 ~~for the denials.~~

34 ~~(2) The number of pupils transferred out of the district pursuant~~  
35 ~~to this article.~~

36 ~~(3) The number of pupils transferred into the district pursuant~~  
37 ~~to this article.~~

38 ~~(b) The information maintained pursuant to subdivision (a) may~~  
39 ~~be reported to the governing board of the school district at a~~  
40 ~~regularly scheduled meeting of the governing board. The school~~

1 district annually shall report the information maintained pursuant  
2 to subdivision (a) in addition to information regarding the district's  
3 status as a school district of choice to the Superintendent on or  
4 before a date designated by the Superintendent. Commencing in  
5 2008, the Superintendent annually shall make the information  
6 available to the Governor, the Legislature, and the public on or  
7 before April 1.

8 (c) On or before November 1, 2008, the Legislative Analyst's  
9 Office shall prepare and submit to the Legislature a report  
10 evaluating interdistrict transfer options within the state with an  
11 emphasis on the interdistrict transfer program pursuant to this  
12 article. The report shall include, but is not limited to, all of the  
13 following:

14 (1) The purpose of providing interdistrict transfer options and  
15 other school choice options within the state, with a specific focus  
16 on the interdistrict transfer program pursuant to this article.

17 (2) The extent to which pupils transfer using each of the various  
18 interdistrict transfer options within the state and the characteristics  
19 of pupils who use those options.

20 (3) The impact that interdistrict transfer policies, specifically  
21 the interdistrict transfer program pursuant to this article, have on  
22 school districts of residence and school districts of choice,  
23 including, but not limited to, the extent to which transfers to school  
24 districts of choice contribute to any of the following:

25 (A) Changes in educational outcomes as measured by test scores,  
26 the API, graduation rates, or other outcome measures.

27 (B) Changes in enrollment or enrollment patterns.

28 (C) Changes in the intradistrict and interdistrict movement of  
29 teachers.

30 (D) Changes in the fiscal health of school districts.

31 (4) Whether any school district has exceeded the transfer limits  
32 in Section 48307 and the resulting implications for the impacted  
33 district.

34 (5) Recommendations regarding the extension of the interdistrict  
35 transfer program pursuant to this article.

36 SEC. 2. Section 48314.5 is added to the Education Code, to  
37 read:

38 48314.5. Notwithstanding any other provision of this article,  
39 commencing on the effective date of the act adding this section,  
40 the governing board of a school district that has not previously

1 elected to participate in interdistrict transfers pursuant to this article  
2 shall not elect to become a school district of choice.

3 ~~SEC. 3. Section 48315 of the Education Code is amended to~~  
4 ~~read:~~

5 ~~48315. This article shall become inoperative on July 1, 2009,~~  
6 ~~and, as of January 1, 2010, is repealed, unless a later enacted~~  
7 ~~statute, which becomes effective on or before January 1, 2010,~~  
8 ~~deletes or extends the dates on which it becomes inoperative and~~  
9 ~~is repealed.~~